

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

MARINA N. TODD, individually and as
representative of the ESTATE OF CORON
DAVON TODD, deceased, and as legal
guardian of J.L.T., a minor child,

Plaintiffs,

vs.

LOENBRO PIPELINE, LLC;
ROOSEVELT R. CEDENO-ZAMBRANO,
and Jane Doe Ceden-Zambrano, as
husband and wife, and the marital
community thereof and JOHN/JANE DOE
individuals or entities 1–4,

Defendants.

CV-21-41-GF-BMM

ORDER

Defendant Roosevelt R. Ceden-Zambrano (“Ceden-Zambrano”) filed a Motion to Dismiss for Lack of Personal Jurisdiction (Doc. 2) in this matter on April 21, 2021. Plaintiffs subsequently filed on May 17, 2021, a Notice of Voluntary Dismissal pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i). (Doc. 11). In the Notice, Plaintiffs agree to dismiss their action against Defendant Ceden-Zambrano without prejudice. *Id.* Defendant Ceden-Zambrano has not yet filed an answer or motion for summary judgment in this action. *Id.*; Fed. R. Civ. P. 41(a)(1)(A)(i) (providing

that a plaintiff may dismiss an action without a court order where the defendant has not yet served an answer or motion for summary judgment).

Plaintiffs' dismissal of their claims against Defendant Cedeno-Zambrano obviates the latter's requested relief in his Motion to Dismiss for Lack of Personal Jurisdiction. (Doc. 2).

Accordingly, **IT IS ORDERED** that Defendant Cedeno-Zambrano's Motion to Dismiss for Lack of Personal Jurisdiction (Doc. 2) is **DENIED** as moot.

DATED this 18th day of May, 2021.

A handwritten signature in blue ink, reading "Brian Morris". The signature is fluid and cursive, with the first name "Brian" and last name "Morris" clearly distinguishable.

Brian Morris, Chief District Judge
United States District Court